

REMARKS

1. Present Status of Patent Application

This is a full and timely response to the outstanding non-final Office Action mailed July 5, 2007. Reconsideration and allowance of the application and presently pending claims are respectfully requested.

2. Telephone Interview Summary

Applicants first wish to express their sincere appreciation for the time that Examiner Gebresilassie spent with Applicants' Attorney, Mr. Charles W. Griggers, during a telephone discussion on September 18, 2007 regarding the outstanding Office Action. During the discussion, proposed amendments and arguments were discussed regarding the outstanding rejection (which are contained herein). A consensus was not reached regarding the patentability of the proposed amendments, since there were concerns that the proposed amendments may be expressing an intended use that should not be given patentable weight. Accordingly, Applicant respectfully requests the Examiner to consider the present response and amendments which Applicants submit provide recitations on a type of workflow process that is being tracked and managed which is not taught or suggested by the cited art.

3. Response to Objection of Drawings

The drawings have been objected under 37 CFR 1.83(a) for not having every feature of the invention specified in the claims such as receiving logic, a database coupled to the receiving logic, assignment logic coupled to the database, completion logic, and reporting logic. Pages 2 and 5.

Applicants note that 37 CFR 1.83(a) states that "the drawing in a nonprovisional application must show every feature of the invention specified in the claims. However, conventional features disclosed in the description and claims, where their detailed illustration is not essential for a proper understanding of the invention, should be illustrated in the drawing in the form of a graphical drawing symbol or a labeled representation (e.g., a labeled rectangular box)." (Emphasis added). Accordingly,

limitations such as "receiving logic, assignment logic coupled to the database, completion logic, and reporting logic" are represented in FIG. 1A by the labeled rectangular boxes TRAKS SERVER 120, ARCHIVES 130, TRAKS APPLICATION 160, etc. and are also described in accompanying text in the specification. For example, the specification states that "software in memory 140 may include one or more separate programs 155, 160, each of which comprises an ordered listing of executable instructions for implementing logical functions." Page 14. The specification also states that logic is embodied in hardware or software, such as that contained in a TRAKS server, as an example. See page 39.

Therefore, Applicants respectfully submit that the drawing includes features necessary for understanding the pending claims. For at least these reasons, withdrawal of the objection to the drawings is requested.

4. Response to Rejections of Claims under 35 U.S.C. § 112

Claims 19-27 have been rejected under 35 U.S.C. § 112, Second Paragraph, for allegedly failing to particularly point and distinctly claim subject matter in the claims. The Office Action specifically objects to recitation of "steps" in claim 19. However, "steps" was removed from the language of claim 19 in the previous response. Therefore, withdrawal of the rejection is respectfully requested.

5. Response to Rejections of Claims under 35 U.S.C. § 101

Claims 1-9 have been rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. The Office Action alleges that "receiving logic, a database, assignment logic, and completion logic are just program per se" and are not physical components required for a system claim. Page 3. Applicants respectfully traverse the rejection.

The Office Action states that "receiving logic, a database, assignment logic, and completion logic" are programs per se which is not an accurate depiction. To say that something is "per se" a program means to say that it is inherently a software program. This is not true with regard to a database or logic components. Database and logic may have a non-software connotation for the reasons stated in the previous response. In the

Office Action, it acknowledges that logic may be defined as an arrangement of circuit elements, as an example. Page 2. Therefore, to construe logic or database to be software is to take a narrow view of the term. Therefore, either term is not inherently software or a program listing “per se.”

MPEP 2106 states that statutory subject matter may be characterized by structural and functional interrelationships between an element of a computer and other elements of the computer. Accordingly, claim 1, as presently presented, recites that receiving logic of a computer system is coupled to a database, where the database is coupled to other logic components of the computer system which are interacting with a user of the computer system (“draftsman”).

As such, Applicants respectfully submit that claim 1 is characterized by structural and functional interrelationships between an element of a computer and other elements of the computer which makes it statutory subject matter. Therefore, withdrawal of the rejections of claims 1-9 is respectfully requested.

Claims 19-27 have been rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. The Office Action alleges that the claims recite a computer readable medium which is not limited to tangible mediums in light of the specification. The claims have been amended to recite that the computer readable medium is a tangible medium. For at least this reason, the rejection of claims 19-27 should be withdrawn.

6. Response to Rejections of Claims under 35 U.S.C. § 102(e)

In the Office Action, claims 1-27 stand rejected under 35 U.S.C. § 102(e) as allegedly being unpatentable by *Chauhan* (U.S. Patent Application Publication No. 2004/0236620 A1). For a proper rejection of a claim under 35 U.S.C. § 102, the cited reference must disclose all elements/features/steps of the claim. See, e.g., *E.I. du Pont de Nemours & Co. v. Phillips Petroleum Co.*, 849 F.2d 1430, 7 USPQ2d 1129 (Fed. Cir. 1988).

a. Claim 1

As provided in independent claim 1, Applicants claim:

A drawing conversion management and assignment system, comprising:

receiving logic of a computer system operable to receive notification of completion of a land base drawing file that is associated with a plat corresponding to a parcel of land represented by the land base drawing file;

a database coupled to the receiving logic, operable to create a drawing conversion job record associated with the completed land base drawing file, the drawing conversion job record indicating that the plat corresponding to the completed land base drawing file is tasked to be converted into a new drawing format;

assignment logic of the computer system coupled to the database and operable to assign the drawing conversion job record to a draftsman and to instruct the database to record the assignment, the drawing conversion job involving creation of a new drawing file based on at least information depicted in the land base drawing file and a prior plat of the parcel of land represented by the land base drawing file; and

completion logic of the computer system coupled to the database and operable to receive a request to close the drawing conversion job record from the draftsman, and to instruct the database to mark the drawing conversion job record as closed to indicate that the plat has been redrawn in the new drawing format.

Claim 1 is patentable over *Chauhan* for at least the reason that *Chauhan* fails to teach or suggest all of the claimed features described above.

For example, *Chauhan* describes an “automated management system for managing data, outage repair, load switching, job workflow and crew dispatching, crew workflow, installation, maintenance and restoration of utility services by integrating geographic information systems (GIS) data with many other data sources so as to gather, transform, manipulate, analyze, and produce desired information for continuously supplying utility and relevant services. The data sources include customer information systems (CIS) and billing data, interactive voice recognition (IVR) call management data, supervisory control and data acquisition (SCADA), mobile crew management (MCM) data, automatic meter reading (AMR) data, automated vehicle location (AVL) data, engineering analysis data supported by 3rd party software packages (such as load monitoring and balancing), etc. In particular, the system allows an on-site engineer to retrieve data (ex. field maps, work orders, codes) or enter, via a

portable device, inspection data (ex. such as poles or underground facilities, code violations)." Para. 0002 and see also para. 0081.

As such, *Chauhan* does not describe a drawing conversion management where a workflow of redrawing a plat for a parcel of land from an old format into a new format is tracked by a drawing conversion and assignment management system, which includes creation of the land base drawing file which is to be used to in making the new drawing, receiving notification of creation of this land base drawing file, creating a drawing conversion job record, assigning the job record to a draftsman, and then receiving a request to close the job after the job is completed by the draftsman. Rather, *Chauhan* describes a process for opening, monitoring, and closing work orders from customers and not a system for converting drawings from an old format into a new format involving the work of a draftsman.

The Office Action cites passages from the *Chauhan* reference which describe assigning a work order to a field engineer where GIS features and sketches may be received as part of the work order. See para. 0081. *Chauhan* also describes that as part of a work order, some personnel may have to draw proposed work such as system improvements, right of way jobs, or other suggested changes. See para. 0121. The foregoing fails to teach or suggest all of the features of claim 1, such as "receiving logic of a computer system operable to receive notification of completion of a land base drawing file that is associated with a plat corresponding to a parcel of land represented by the land base drawing file," "creat[ing] a drawing conversion job record associated with the completed land base drawing file, the drawing conversion job record indicating that the plat corresponding to the completed land base drawing file is tasked to be converted into a new drawing format," "assignment logic of the computer system coupled to the database and operable to assign the drawing conversion job record to a draftsman and to instruct the database to record the assignment, the drawing conversion job involving creation of a new drawing file based on at least information depicted in the land base drawing file and a prior plat of the parcel of land represented by the land base drawing file," and "completion logic of the computer system coupled to the database and operable to receive a request to close the drawing conversion job record from the draftsman, and to instruct the database to mark the drawing conversion

job record as closed to indicate that the plat has been redrawn in the new drawing format," as recited in claim 1.

Hence, claim 1 is not anticipated by *Chauhan*, and the rejection should be withdrawn.

b. Claims 2-9

For at least the reasons given above, claim 1 is allowable over the cited art of record. Since claims 2-9 depend from claim 1 and recite additional features, claims 2-9 are allowable as a matter of law over the cited art.

c. Claim 10

As provided in independent claim 10, Applicants claim:

A method for assigning and managing drawing conversions, comprising:

- receiving notification that a land base drawing file is available, the land base drawing file being associated with a wirecenter and being a basis for redrawing a plat corresponding to the wirecenter and the land base drawing file into a new drawing format;

- creating a drawing conversion job record associated with the available and base drawing file, the drawing conversion job involving creation of a new drawing file based on at least information depicted in the land base drawing file and a prior plat of the wirecenter represented by the land base drawing file;

 - storing the drawing conversion job record in a database;

 - assigning the drawing conversion job record to a draftsman;

 - recording the assignment of the drawing conversion job record in the database; and

 - closing the job upon receipt of a close request from the draftsman to indicate that the plat has been redrawn in the new drawing format, by marking the drawing conversion job record as closed in the database.

Claim 10 is patentable over *Chauhan* for at least the reason that *Chauhan* fails to teach or suggest all of the claimed features described above.

For example, *Chauhan* describes an "automated management system for managing data, outage repair, load switching, job workflow and crew dispatching, crew workflow, installation, maintenance and restoration of utility services by integrating geographic information systems (GIS) data with many other data sources so as to

gather, transform, manipulate, analyze, and produce desired information for continuously supplying utility and relevant services. The data sources include customer information systems (CIS) and billing data, interactive voice recognition (IVR) call management data, supervisory control and data acquisition (SCADA), mobile crew management (MCM) data, automatic meter reading (AMR) data, automated vehicle location (AVL) data, engineering analysis data supported by 3rd party software packages (such as load monitoring and balancing), etc. In particular, the system allows an on-site engineer to retrieve data (ex. field maps, work orders, codes) or enter, via a portable device, inspection data (ex. such as poles or underground facilities, code violations)." Para. 0002 and see also para. 0081.

As such, *Chauhan* does not describe a method for assigning and managing drawing conversions from the receipt of a land base drawing file associated with a wirecenter to the creation of a drawing conversion job record for the redrawing of a prior plat to the assignment of the job to a draftsman to the closing of the job by the draftsman. Rather, *Chauhan* describes a process for opening, monitoring, and closing work orders from customers and not a system for converting drawings from an old format into a new format involving the work of a draftsman.

The Office Action cites passages from the *Chauhan* reference which describe assigning a work order to a field engineer where GIS features and sketches may be received as part of the work order. See para. 0081. *Chauhan* also describes that as part of a work order, some personnel may have to draw proposed work such as system improvements, right of way jobs, or other suggested changes. See para. 0121. The foregoing fails to teach or suggest all of the features of claim 10, such as "receiving notification that a land base drawing file is available, the land base drawing file being associated with a wirecenter and being a basis for redrawing a plat corresponding to the wirecenter and the land base drawing file into a new drawing format; creating a drawing conversion job record associated with the available land base drawing file, the drawing conversion job involving creation of a new drawing file based on at least information depicted in the land base drawing file and a prior plat of the wirecenter represented by the land base drawing file . . . assigning the drawing conversion job record to a draftsman; recording the assignment of the drawing conversion job record in the

database; and closing the job upon receipt of a close request from the draftsman to indicate that the plat has been redrawn in the new drawing format, by marking the drawing conversion job record as closed in the database."

Hence, claim 10 is not anticipated by *Chauhan*, and the rejection should be withdrawn.

d. Claims 11-18

For at least the reasons given above, claim 10 is allowable over the cited art of record. Since claims 11-18 depend from claim 10 and recite additional features, claims 11-18 are allowable as a matter of law over the cited art.

e. Claim 19

As provided in independent claim 19, Applicants claim:

A computer readable medium being a tangible medium and having a program for assigning and managing drawing conversions, the program comprising instructions that when executed by a computer causes the computer to perform:

receiving notification that a land base drawing file is available, the land base drawing file being associated with a wirecenter and being a basis for redrawing a plat corresponding to the wirecenter and the land base drawing file into a new drawing format;

creating a drawing conversion job record associated with the available land base drawing file, the drawing conversion job involving creation of a new drawing file based on at least information depicted in the land base drawing file and a prior plat of the wirecenter represented by the land base drawing file;

storing the drawing conversion job record in a database;

assigning the drawing conversion job record to a draftsman;

recording the assignment of the drawing conversion job record in the database; and

closing the job upon receipt of a close request from the draftsman to indicate that the plat has been redrawn in the new drawing format, by marking the drawing conversion job record as closed in the database.

Claim 19 is patentable over *Chauhan* for at least the reason that *Chauhan* fails to teach or suggest all of the claimed features described above.

For example, *Chauhan* describes an "automated management system for managing data, outage repair, load switching, job workflow and crew dispatching, crew

workflow, installation, maintenance and restoration of utility services by integrating geographic information systems (GIS) data with many other data sources so as to gather, transform, manipulate, analyze, and produce desired information for continuously supplying utility and relevant services. The data sources include customer information systems (CIS) and billing data, interactive voice recognition (IVR) call management data, supervisory control and data acquisition (SCADA), mobile crew management (MCM) data, automatic meter reading (AMR) data, automated vehicle location (AVL) data, engineering analysis data supported by 3rd party software packages (such as load monitoring and balancing), etc. In particular, the system allows an on-site engineer to retrieve data (ex. field maps, work orders, codes) or enter, via a portable device, inspection data (ex. such as poles or underground facilities, code violations)." Para. 0002 and see also para. 0081.

As such, *Chauhan* does not describe a method for assigning and managing drawing conversions from the receipt of a land base drawing file associated with a wirecenter to the creation of a drawing conversion job record for the redrawing of a prior plat to the assignment of the job to a draftsman to the closing of the job by the draftsman. Rather, *Chauhan* describes a process for opening, monitoring, and closing work orders from customers and not a system for converting drawings from an old format into a new format involving the work of a draftsman.

The Office Action cites passages from the *Chauhan* reference which describe assigning a work order to a field engineer where GIS features and sketches may be received as part of the work order. See para. 0081. *Chauhan* also describes that as part of a work order, some personnel may have to draw proposed work such as system improvements, right of way jobs, or other suggested changes. See para. 0121. The foregoing fails to teach or suggest all of the features of claim 19, such as "receiving notification that a land base drawing file is available, the land base drawing file being associated with a wirecenter and being a basis for redrawing a plat corresponding to the wirecenter and the land base drawing file into a new drawing format; creating a drawing conversion job record associated with the available land base drawing file, the drawing conversion job involving creation of a new drawing file based on at least information depicted in the land base drawing file and a prior plat of the wirecenter represented by

the land base drawing file . . . assigning the drawing conversion job record to a draftsman; recording the assignment of the drawing conversion job record in the database; and closing the job upon receipt of a close request from the draftsman to indicate that the plat has been redrawn in the new drawing format, by marking the drawing conversion job record as closed in the database.”

Hence, claim 19 is not anticipated by *Chauhan*, and the rejection should be withdrawn.

f. Claims 20-27


For at least the reasons given above, claim 19 is allowable over the cited art of record. Since claims 20-27 depend from claim 19 and recite additional features, claims 20-27 are allowable as a matter of law over the cited art.

CONCLUSION

Any other statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. In addition, any and all findings of inherency are traversed as not having been shown to be necessarily present. Furthermore, any and all findings of well-known art and official notice, or statements interpreted similarly, should not be considered well known for at least the specific and particular reason that the Office Action does not include specific factual findings predicated on sound technical and scientific reasoning to support such conclusions.

For at least the reasons set forth above, Applicants respectfully submit that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. In addition, Applicants reserve the right to address any comments made in the Office Action that were not specifically addressed herein. Thus, such comments should not be deemed admitted by the Applicants. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned agent at (770) 933-9500.

Respectfully submitted,



Charles W. Griggers, Reg. No. 47,283

**THOMAS, KAYDEN,
HORSTEMEYER & RISLEY, L.L.P.**
Suite 1750
100 Galleria Parkway N.W.
Atlanta, Georgia 30339
(770) 933-9500